

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

Larry Hooker
Plaintiff

vs.

Memphis Light Gas and Water
Defendant

CIVIL ACTION NO. _____

JURY DEMANDED

COMPLAINT

1. COMES NOW, Plaintiff and brings this action against his current employer for employment discrimination for retaliation after engaging in protected activity in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. {2000e-16 and 29 C.F.R. {{1614.101 (a) and (b). Jurisdiction is specifically conferred on the court by 42 U.S.C.} 2000e-5. Equitable and other relief are also sought under 42 U.S. C. {2000e-5(g).
2. Plaintiff, Larry Hooker is, an African American male and a citizen of the United States and resides at 403 Lipford, Memphis, Tennessee 38122
3. Defendant is located at 220 S Main St, Memphis, Tennessee 38103
4. Defendant's corporate headquarters is in Memphis Tennessee
5. Plaintiff was employed by the defendant in its Memphis Office.

6. Defendant unlawfully discriminated against plaintiff in the manner indicated in paragraphs 9 and 10 of the complaint that started on or about March 5, 2016 that resulted in Plaintiff being subjected to unjust, unmerited, unwarranted and unlawful discriminatory employment and personnel decisions that created adverse employment determination.
7. Plaintiff filed timely charges against the Defendant when he filed with the US EEOC on December 5, 2016. **EXHIBIT # 1** The EEOC issued a Right to Sue notice on December 14, 2016. **EXHIBIT # 2** Plaintiff received his notice to Sue on December 19, 2016.
8. Because of plaintiff's (1) ____ Race, (2) ____ color, (3) ____ sex, (4) ____ religion, (5) ____ national origin (6) ____ (7) ____ Disability; ____ Age; (8) ☒ Retaliation , Defendant:
 - (a) ____ failed to employ plaintiff.
 - (b) ☒ terminated plaintiff's employment.
 - (c) ☒ failed to promote Plaintiff after filing numerous grievances.
 - (d) ☒ subjected Plaintiff to unlawful disciplinary action when he did not get promoted and received disciplinary action.
 - (e) ☒ subjected Plaintiff to unlawful discrimination when Defendant discriminated against Plaintiff via retaliation after he engaged in protected activity.
9. The circumstances under which the defendant discriminated against plaintiff are as follows: (all supportive documents referenced in paragraph 9 are all found in **Collective Exhibit #3**:
 - a. Plaintiff began his employment with Defendant in 2005 as a utility worker
 - b. Plaintiff starting salary was \$12.00 per hour.

- c. Plaintiff filed several grievances against Defendant.
 - d. Plaintiff filed several grievances against Defendant's Manager, Fred Mitchell.
 - e. Plaintiff filed several grievances against Defendant's Manager, Fred Mitchell between 2005 through June 2016.
 - f. Defendant's Manager Fred Mitchell was Plaintiff's foreman.
 - g. Plaintiff filed grievance against Defendant for harassment.
 - h. Plaintiff filed grievance against Defendant for intimidation.
 - i. Plaintiff filed grievance against Defendant for bullying.
 - j. Plaintiff filed grievance against Defendant for repeated threats.
 - k. Plaintiff was denied a promotion after he filed grievances against Defendant for the acts of Defendant's management, Fred Mitchell.
 - l. Plaintiff was subjected to disciplinary actions after he filed grievances.
 - m. Plaintiff received a disciplinary action on May 13, 2016
 - n. Plaintiff received a disciplinary action on May 18, 2016
 - o. Plaintiff received a disciplinary action on July 7, 2016.
 - p. Plaintiff received a disciplinary action on January 5, 2016
 - q. Plaintiff filed grievance # 30287 .
 - r. Plaintiff filed grievance #33122
 - s. Plaintiff filed grievance #33678
 - t. Plaintiff was subjected to poor performance evaluations after he engaged in protected activity.
10. The acts set forth in paragraphs 9 of this complaint:
- (a) ___ are still being committed by defendant.

(b) ☒ are no longer being committed by defendant.

(c) ☐ may still be being committed by defendant.

11. Plaintiff attaches to this complaint a copy of the charges (formal Complaint) .

WHEREFORE, Plaintiff prays that the following relief be granted following a jury in his favor:

(a) ☐ Defendant be directed to employ plaintiff,

(b) ☐ Defendant be directed to re-employ plaintiff,

(c) ☐ Defendant be directed to promote plaintiff

(d) ☒ **Defendant** be directed to pay:

1.) Compensatory damages against Defendant in an amount to be determined by the jury but not less than three hundred thousand dollars \$300,000; 2) Any and all other pecuniary losses proximately caused by Defendant's unlawful conduct; 3.) Punitive damages against Defendant in an amount of two (2) million dollars or a punitive amount to be determined by the jury if the Jury finds the Defendant engaged in intentional, malicious and reckless acts of discrimination without regard to Plaintiff professional character, integrity and documented skill set 4.) All costs, disbursements, pre-judgment interest, post-judgment interest, expert witness fees and reasonable attorneys' fees allowed under actions brought pursuant to 42 U.S.C. § 1981; 5) Such further relief as is deemed just and proper and appropriate including injunctive relief.



Plaintiff Larry Hooker Signature

Printed Name LARRY HOOKER

Plaintiff Address 403 hipford st,

Plaintiff Phone (901) 281-8552

Date: 3-17-17